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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,878	01/26/2006	Ioannis Maniatopoulos	026032-4890	8747
22428 7590 07/28/2009 FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			EXAMINER KIM, HEE-YONG	
			ART UNIT 4192	PAPER NUMBER
			MAIL DATE 07/28/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/528,878

Applicant(s)

MANIATOPOULOS ET AL.

Examiner

HEE-YONG KIM

Art Unit

4192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 13-15 is/are rejected.
- 7) ☒ Claim(s) 10-12 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Objections

Claim 10-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8, 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Ma (US patent 6,056,248), hereafter referenced as Ma.

Regarding claim 1, Ma discloses All Dimensional Display Device. Specifically Ma discloses *a fitting for pivotally mounting the video screen (Fig 1-3) to the vehicle seat and wherein the video screen can be adjusted from a first, lower, position of use to a second, upper, position of use*. Ma discloses that his invention can be adapted for the use in a car by securing the base at one side of drivers' seat and *the upper position* is disclosed in Fig 3 and *the lower position* can be made implicitly by pulling out of closed position and the 180 degree rotation of display for viewing by another axis as disclosed implicitly in column 2, line 31-40.

Regarding claim 2, Ma discloses everything claimed as applied above (see claim 1). Ma further discloses *comprising a pivoting arm (2) (2 in the figure 1-3) connected to the fitting for rotation about a generally horizontal axis of rotation.*

Regarding claim 3, Ma discloses everything claimed as applied above (see claims 2). Ma further discloses inherently *wherein the video screen is rotatable, in relation to the fitting, though an angle of 150° to 210° from the first position of use to the second position of use, the video screen assembly further comprising a spring having a spring force opposed to the gravitational force when moving the video screen between the first and second positions*, because the first and the second position is described in the claim 1 and angle between them can be 150° to 210°.

Regarding claim 4, Ma discloses everything claimed as applied above (see claim 3). Ma further discloses *wherein the video screen can be pivoted upwards from a stowed position* (closed position, column 2, line 41-47) *into the first, lower, position of use* (pulling out from the closed position and rotating display 180 degree to view).

Regarding claim 5, Ma discloses everything claimed as applied above (see claim 4). Ma further discloses implicitly *wherein the video screen can be pivoted through an angle of 10° to 20° from the stowed position into the first, lower position of use*, because the back rest of the seat is normally not vertical, but slanted by 10 -20 degree and the vertical screen position is likely to be the first, lower position.

Regarding claim 6, Ma discloses everything claimed as applied above (see claim 5). Ma further discloses *wherein the video screen is rotatably supported on the pivoting arm (2 in Figure 1-3).*

Regarding claim 7, Ma discloses everything claimed as applied above (see claim 6). Ma further discloses *wherein the video screen is rotatable about a basically horizontal axis (pin 21 in Figure 1) of rotation in relation to the pivoting arm (2 in Figure 1-3).*

Regarding claim 8, Ma discloses everything claimed as applied above (see claim 7). Ma further discloses implicitly *wherein the video screen is rotatable through .an angle of 150° to 210° (from the first lower position to the upper position as disclosed in claim 3), in particular approximately 180°, in relation to the pivoting arm.*

Regarding claim 13, Ma discloses everything claimed as applied above (see claim 1). It was common at the time of invention to have a *vehicle seat having a head restraint and a back rest having a rear side 2 having an upper edge*, and Ma further discloses that his invention can be adapted for the use in the car by securing the base at the one side of seat (*rear side* in this case).

Regarding claim 14, Ma discloses everything claimed as applied above (see claim 13). Ma further discloses implicitly *wherein the video screen assembly is 2 arranged in the rear side of the backrest in the first, lower position of use and behind the head 3 restraint in the second, upper position of use*, because his display device can be installed at any place in the seat and could be as above position for proper viewing.

Regarding claim 15, Ma discloses everything claimed as applied above (see claim 14). Ma further discloses implicitly *wherein the video screen is pivotable to a stowed position (D) through an angle of 150° to 210° (From Closed position to The*

Upper position in Figure 3), *in relation to the pivoting arm. and can be shifted to a protected position (Closed position) in which the video screen display side is turned towards the rear side of the back rest* (Display board is folded in Column 2, line 41-47)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 9 is unpatentable over Ma in view of Boudinot (US patent 6,698,832), hereafter referenced as Boudinot.

Regarding claim 9, Ma discloses everything claimed as applied above (see claim 6). However Ma fails to disclose *wherein the pivoting arm, at its end facing the video screen, comprises a frame, inside which the video screen is rotatably arranged*. However the examiner maintains that it was well known in the art to provide *wherein the pivoting arm, at its end facing the video screen, comprises a frame, inside which the video screen is rotatably arranged* as taught by Boudinot.

In the similar field of view Boudinot discloses Video Screen Integrated In a Head Rest. Specifically Boudinot discloses *wherein the pivoting arm, at its end facing the video screen, comprises a frame* (30a and 30b in Fig. 5), *inside which the video screen is rotatably arranged* (Y-Y axis in Fig. 5 and Column 5, line 41-64).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Ma by providing *wherein the pivoting arm, at its end facing the video screen, comprises a frame, inside which the video screen is rotatably arranged*, as taught by Boudinot, for the purpose of extending in the transversal direction of the seat.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HEE-YONG KIM whose telephone number is (571)270-3669. The examiner can normally be reached on Monday-Thursday, 8:00am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Harold can be reached on 571-272-7519. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HEE-YONG KIM/
Examiner, Art Unit 4192

/Jefferey F Harold/
Supervisory Patent Examiner, Art Unit 4192